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From: "Farris, Ann M (DEC)" <ann.farris@alaska.gov>

To: Brandon Perkins/R10/USEPA/US@EPA

Delivered Date: 11/08/2011 12:04 PM PST

Subject: RE: EPA and the HRS at Flint Hills

I totally agree Brandon. Steve told me he was going to call you directly after I sent that email, but then the email went to FHR.

I think this is why it's important for you to participate in the TPT meetings. The scoring is a big deal to FHR as well as Steve and Larry.

Thanks again for the clarifications. I imagine you will start getting more direct calls about this when the PPRTV comes out.

Thanks,
Ann

-----Original message-----

From: Perkins.Brandon@epamail.epa.gov

To: "Farris, Ann M (DEC)" <ann.farris@alaska.gov>

Cc: Kawabata.Sylvia@epamail.epa.gov

Sent: Tue, Nov 8, 2011 17:21:20 GMT+ 00:00

Subject: RE: EPA and the HRS at Flint Hills

It's ok, but please make sure that the clarifications get to Flint Hills. In the future if DEC is having discussions with the PRP about potential EPA actions and decisions, it would be good to have EPA as apart of those conversations. It would make sure there are is no miscommunications or incorrect information presented to them. This would help the process move smoother when it's time to make a decision and probably help minimize Larry and Steve's concerns.

Brandon Perkins
Office of Environmental Cleanup
U.S. Environmental Protection Agency, Region 10
206-553-6396

From: "Farris, Ann M (DEC)"

To: Brandon Perkins/R10/USEPA/US@EPA

Date: 11/07/2011 03:40 PM

Subject: RE: EPA and the HRS at Flint Hills

The strikethrough didn't come through the first time, but I got the gist. Thanks. I've forwarded this on to Steve so he can clarify to Larry D. He also sent out my original email to Flint Hills so I think he will send these clarifications on to them as well. I'm sorry about that. I didn't expect it to go outside ADEC.

Ann

-----Original Message-----

From: Perkins.Brandon@epamail.epa.gov [mailto:Perkins.Brandon@epamail.epa.gov]
Sent: Monday, November 07, 2011 1:56 PM
To: Farris, Ann M (DEC)
Subject: Re: EPA and the HRS at Flint Hills

I don't think the strike through formatting got carried over from my email program to yours. So I'm resending and just deleted the wording I wanted to remove on this version.

Brandon Perkins
Office of Environmental Cleanup
U.S. Environmental Protection Agency, Region 10
206-553-6396

Ann,

See my edits below.

Brandon Perkins
Office of Environmental Cleanup
U.S. Environmental Protection Agency, Region 10
206-553-6396

From: "Farris, Ann M (DEC)"
To: Brandon Perkins/R10/USEPA/US@EPA
Date: 11/03/2011 05:15 PM
Subject: EPA and the HRS

Hi Brandon-

I did a quick summary of our phone conversation to Steve, but know I think it might go viral. Can you confirm all the information below or make any clarifications needed?

Thanks!

Ann

Regarding the work that EPA is doing to develop a Hazard Ranking Score for the Flint Hills site

EPA is waiting on the PPRTV to finish the Preliminary Assessment and score.

PPRTV is in DC awaiting final approval (no projected date at this time)

Process for finalization:

1. Receive final PPRTV
2. EPA contractor reviews PPRTV to determine if a Superfund Chemical Data Matrix (SCDM) benchmark can be developed using the information within the PPRTV. The Superfund Chemical Data Matrix (SCDM) is a database containing factor values and benchmark values used for applying the Hazard Ranking System to evaluate potential National Priorities List (NPL) sites,
3. IF a benchmark is can be developed, AND the concentrations in the environment are above the benchmark, then sulfolane can be considered a pollutant or contaminant under CERCLA and therefore eligible for CERCLA response actions.
4. If benchmark can not be developed or concentrations are below benchmark then, sulfolane is not a pollutant or contaminant under CERCLA.
5. If sulfolane is CERCLA eligible then, Preliminary Assessment finished. At this point EPA has only been evaluating sulfolane, if not eligible then could look at other hazardous substances, pollutants, and contaminants at site.
6. Scoring occurs. NOTE >>> EPA feels it could potentially score high enough to be eligible for NPL regardless of sulfolane inclusion.
7. If site score is above the 28.5 threshold, then begin conversation with State about potential options for addressing site and determining which option is best.

Options once it if site scores:

1. Other Cleanup Activity (OCA): Under this option site is not proposed to NPL and investigation/cleanup work is conducted by non-EPA parties without EPA enforcement or oversight. Although EPA will discuss cleanup progress on OCA sites with lead party on an annual basis. Valid non-EPA lead parties for Flint Hills can be: state lead or PRP lead. EPA will determine OCA is complete when receipt of documentation from non-EPA party that the site has been appropriately cleaned up.
2. List site on NPL. Proposal of site to NPL followed by a 60 day comment period. Address comments as appropriate, list site as final on NPL.

3. State Deferral: In lieu of proposing and listing site on NPL, site is deferred to state under a formal Deferral Agreement. A CERCLA equivalent investigation and cleanup is conducted at site under state laws. EPA's role at the site after deferral will be negotiated and defined in the agreement. There are a number of other conditions and assurances that need to be met and formalized under this option.

4. Superfund Alternative Site: In lieu of proposing and listing site on NPL, a CERCLA equivalent investigation and cleanup is conducted at site by PRP under EPA oversight. EPA will negotiate agreements with PRPs for site investigation and cleanup.

Note: For sites that score above 28.5, the HRS score and score sheets are not released outside of the agency. These are kept internal and are only released if a site is proposed to the NPL.

The Preliminary Assessment or Site Inspection Reports are the reports/assessments that were used to collect the information to develop the site score. These can be and are released to the petitioning party. DEC would also receive these reports as well.